

9268. Adulteration of coal-tar color. U. S. * * * v. 3 1-Pound Cans
 * * * of * * * Coal-Tar Color. Default decree of condem-
 nation, forfeiture, and destruction. (F. & D. No. 14389. I. S. Nos.
 4751-t, 4752-t, 4753-t. S. No. C-2754.)

On February 8, 1921, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 1-pound cans, more or less, of coal-tar color, at Houston, Tex., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about April 24, 1920, and transported from the State of Missouri into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "* * * W. B. Wood Mfg. Co., Manufacturing Chemists 106 So. 4th Street, St. Louis, Mo. Green" (or "Blue" or "Purple") " $\frac{1}{4}$ pound Soluble in 1 gallon warm water. Do not use boiling water."

Adulteration of each of the 3 cans of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article. Adulteration was alleged with respect to the can containing the purple coloring for the further reason that it contained an added poisonous or deleterious ingredient, arsenic, which might render said article injurious to health.

On March 10, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9269. Misbranding of Joyner's Gui-A-Col Compound. U. S. * * * v. 47
 Bottles of * * * Joyner's Gui-A-Col Compound * * *. De-
 fault decree of condemnation, forfeiture, and destruction. (F. & D.
 No. 14498. Inv. No. 25775. S. No. E-3151.)

On February 28, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 bottles of Joyner's Gui-A-Col Compound, consigned on January 7, 1921, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Williams-Ellis Drug Co., Inc., Norfolk, Va., and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of guaiacol, an iodid, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effect of said article, (carton) "An Excellent Remedy For * * * Hoarseness, Sore Throat, * * * Whooping Cough, * * * Consumption And All Affections Of The Throat, Chest And Lungs * * * allays Inflammation of the Throat, Chest, Lungs and Bronchial Tubes. Perfectly Harmless. * * * used with splendid results. * * * remedy for all diseases of the Throat, Chest and Lungs; and will relieve when other remedies fail. One bottle gives immediate relief, and it is warranted to give satisfaction, * * *," (bottle) "An Excellent Remedy For * * * Croup, Hoarseness, Sore Throat, * * * Whooping Cough, * * * Soreness in the Chest, and all affections of the Throat, Chest and Lungs. * * *" were false and fraudulent since the article contained no

ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the label bore the statement, "Guaranteed by The Gui-A-Col Medicine Co., Inc., under the Food and Drugs Act, June 30, 1906, No. 34307," which statement was false and misleading.

On April 14, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9270. Misbranding of grapes. U. S. * * * v. Harry W. Hall. Plea of guilty. Fine, \$25. (F. & D. No. 12316. I. S. No. 17333-r.)

On August 24, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry W. Hall, Himrod, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 4, 1919, from the State of New York into the District of Columbia, of a quantity of grapes which were misbranded. The article was labeled in part: "3 Lbs. Net Seneca Lake Catawba Grapes Packed For Harry W. Hall, Himrod, N. Y."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "3 Lbs. Net," borne on the labels attached to the baskets containing the article, regarding the article, was false and misleading in that it represented that said baskets each contained 3 pounds net thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said baskets contained 3 pounds net thereof, whereas, in truth and in fact, each of said baskets contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 14, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

9271. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 59½ Dozen, 30, 1 Gross, 34, and 3 Dozen Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12841, 12842, 12843, 12844, 12845. I. S. Nos. 464-r, 468-r, 446-r, 452-r, 450-r. S. Nos. E-2335, E-2336, E-2337, E-2338, E-2339.)

On June 12, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 59½ dozen bottles, 30 bottles, 1 gross bottles, 34 bottles, and 3 dozen bottles, respectively, of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Waterbury, Norwich, and Willimantic, Conn., alleging that the article had been shipped by J. A. E. Gauvin, Lowell, Mass., on or about August 7 and 23, 1919, February 19, 1920, and June 24, 1920 [1918], and transported from the State of Massachusetts into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: (Bottle) " * * * For * * * 'La Grippe,' Whooping Cough & all other affections of the Throat & Lungs;" (carton, in English and French) " * * * Recommended For * * * 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. * * * A safe and active Remedy for all Diseases of the Respiratory Organs: * * * La Grippe, Whooping-Cough and all Throat and Lung